

**IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF  
ALABAMA, SOUTHERN DIVISION**

<b>KELLEY FOODS OF ALABAMA, INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>CIVIL ACTION NO. 1:04 - cv-01246-</b>
	)	<b>MHT-DRB</b>
<b>MYERS NISSI &amp; COMPANY, INC.; a</b>	)	
<b>corporation d/b/a VERTICALSOFT,</b>	)	
	)	
<b>Defendant.</b>	)	

**NOTICE OF APPEARANCE**

**COMES NOW**, M. Ellen Gober, Esq. of the law firm of Burr & Forman LLP and hereby gives notice of her appearance as additional counsel for Plaintiff Kelley Foods of Alabama, Inc. and requests notification of court filings through the ECF System.

/s/ M. Ellen Gober  
M. Ellen Gober (GOB004)  
E-Mail: [egober@burr.com](mailto:egober@burr.com)

**OF COUNSEL:**

BURR & FORMAN LLP  
3100 Wachovia Tower  
420 North 20th Street  
Birmingham, Alabama 35203  
Telephone: (205) 251-3000  
Facsimile: (205) 458-5100

**CERTIFICATE OF SERVICE**

I hereby certify that on the 4th day of August, 2006, I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to all properly registered parties and to the extent they are not properly registered with the Court's ECF system, they have been served by directing same to their office addresses via first-class, United States mail, postage prepaid:

John Michael Herke  
Paul Darren Palermo  
Spyridon Koch Palermo & Dornan  
Three Lakeway Center, Suite 3010  
3838 North Causeway Boulevard  
Metairie, LA 70002

M. Ellen Gober /s/ \_\_\_\_\_  
OF COUNSEL